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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/091,909      | 03/05/2002  | John Slabich         | 50047590-0045       | 9188             |

7590 10/14/2004

Jennifer H. Hammond  
The Eclipse Group  
10453 Raintree Lane  
Northridge, CA 91326

EXAMINER

HO, THOMAS Y

ART UNIT PAPER NUMBER

3677

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Interview Summary

Application No.

10/091,909

Applicant(s)

SLABICH ET AL.

Examiner

Thomas Y Ho

Art Unit

3677

All participants (applicant, applicant's representative, PTO personnel):

(1) Thomas Y Ho.

(3) \_\_\_\_\_.

(2) David P. Gloeckler.

(4) \_\_\_\_\_.

Date of Interview: 06 October 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: US 4841102.


Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Attorney submitted a proposed amendment, and proposed claim 1 was discussed. Arguments that were presented include: whether the prior art shows an air seal, whether the addition of "loudspeaker" further limits the structure recited, whether the ring in the prior art is a cord gasket that is compressible, and whether the recitation of a "baffle board" inherently limits the invention to the loudspeaker art. No agreement was reached..

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Docket No.: HI03057USU (P02007US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Slabich et al. OLD DOCKET NO.: 50047590-0045  
NEW DOCKET NO.: HI03057USU (P02007US)  
SERIAL NO.: 10/091,909 GROUP ART UNIT: 3677  
DATE FILED: March 5, 2002 EXAMINER: Ho, Thomas Y.  
CONFIRMATION NO.: 9188  
TITLE: AIR SEAL SYSTEM FOR LOUDSPEAKER

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on October 6, 2004.

October 6, 2004

Mariana Paula Noli

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PROPOSED AFTER-FINAL AMENDMENT - PLEASE DO NOT ENTER**

Dear Commissioner:

This is responsive to the Office Action dated September 22, 2004, for which a shortened statutory period for reply is set to expire on December 22, 2004. Accordingly, the present Amendment is believed to have been timely filed. Favorable consideration is respectfully requested in view of the following Amendments and Remarks.

Serial No. 10/091,909

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I. IN THE CLAIMS

Please amend the claims as follows:

1. (Currently amended) ~~An~~ A loudspeaker air seal system ~~for a loudspeaker,~~  
comprising:  
  
a loudspeaker baffle board having an opening for supporting a loudspeaker  
component and a passage coupled to a gland so as to form a break in the gland; and  
  
a cord gasket constructed from a compressible material and comprising a first end,  
a second end, and a segment positioned between the first end and the second end, where  
the segment is positioned in the gland of the baffle board, ~~a first portion of the segment~~  
~~extends through the break into the passage and terminates at the first end, and a second~~  
~~portion of the segment extends through the break into the passage adjacent to the first end~~  
~~and terminates at the second end~~ and the loudspeaker baffle board and cord gasket form an  
air-sealed enclosure for forming a localized airtight seal.
2. (Currently amended) The loudspeaker air seal system of claim 1, where the  
passage leads to a pocket having a depth and where at least one of the first end and the  
second end are positioned in the pocket.
3. (Currently amended) The loudspeaker air seal system of claim 2, where the pocket  
depth is greater than a depth of the gland.

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4. (Currently amended) The loudspeaker air seal system of claim 3, where the depth of the pocket is approximately 0.5 inch to 1.0 inch.
5. (Currently amended) The loudspeaker air seal system of claim 1, where the passage leads into a notch and where at least one of the first end and the second end are positioned in the notch.
6. (Currently amended) The loudspeaker air seal system of claim 5, where the passage further leads to a pocket.
7. (Currently amended) The loudspeaker air seal system of claim 6, where the second end of the cord gasket is positioned in the pocket.
8. (Currently amended) The loudspeaker air seal system of claim 1, where the passage comprises a first wall having a first tab and a second wall comprising a second tab, where the first tab and second tab face one another to define a gap.
9. (Currently amended) The loudspeaker air seal system of claim 8, where a distance of a gap is less than a distance of a cross-sectional diameter of the cord gasket.

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10. (Currently amended) The loudspeaker air seal system of claim 8, where a surface of the first tab and a surface of the second tab each are chamfered to define a V-shaped groove.
11. (Currently amended) The loudspeaker air seal system of claim 10, where the V-shaped groove defines an angle that ranges from approximately 25 degrees to 150 degrees.
12. (Currently amended) The loudspeaker air seal system of claim 8, where at least one of the first tab and the second tab is configured to flex when pressed from a first side and configured to remain rigid when pressed from a side generally opposite of the first side.
13. (Currently amended) The loudspeaker air seal system of claim 1, where the first end and the second end are positioned in the passage to overlap one another and a depth of the passage is greater than a depth of the gland.
14. (Currently amended) The loudspeaker air seal system of claim 1, where the first end is secured in a first notch and the second end is secured in a second notch at a location that is remote from the first end.
15. (Previously presented) An air seal system for a loudspeaker, the air seal system comprising:



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a housing;

a baffle board; and

means for creating an airtight seal between the baffle board and the housing.

16. (Original) The air seal system of claim 15, wherein the creating means includes a passage in the baffle board coupled to a gland to form a break in the gland.
17. (Original) The air seal system of claim 16, wherein the creating means further includes a cord gasket having a first end and a second end positioned in the passage.
18. (Original) The air seal system of claim 15, wherein the creating means includes a pocket in the baffle board having a depth and where at least one of a first end and a second end of a cord gasket are positioned in the pocket.
19. (Previously presented) The air seal system of claim 18, wherein the creating means further includes a passage in the baffle board coupled to a gland to form a break in the gland and where the pocket depth is greater than a depth of the gland.
20. (Original) The air seal system of claim 15, wherein the creating means includes at least one notch in the baffle board and where at least one of a first end and a second end of a cord gasket are positioned in the at least one notch.

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21. (Original) The air seal system of claim 15, wherein the creating means includes a first wall in the baffle board having a first tab and a second wall in the baffle board having a second tab and where the first tab and second tab face one another to define a gap.
22. (Original) The air seal system of claim 21, wherein a distance of the gap is less than a distance of a cross-sectional diameter of a cord gasket located in the gap.
23. (Original) The air seal system of claim 15, wherein the baffle board includes a gland and the creating means includes overlapping ends of a cord gasket within a passage in the baffle, where the depth of the passage is greater than a depth of the gland.
24. (Original) The air seal system of claim 15, where the creating means includes a first notch in the baffle board positioned at a remote location from a second notch in the baffle board and a cord gasket having a first end secured in the first notch and a second end secured in the second notch.
25. (Currently amended) The loudspeaker air seal system of claim 1, where the segment includes a first portion extending through the break into the passage and terminating at a first end, and a second portion extending through the break into the passage adjacent to the first end and terminating at a second end ~~the first and second segment portions are compressed in the break.~~

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Please add the following new claim 26-31:

26. (New) The loudspeaker of claim 25, where the first and second segment portion are compressed in the break.
27. (New) An air seal system for a loudspeaker, comprising:  
a baffle board having a passage coupled to a gland so as to form a break in the gland, the passage comprising a first wall having a first tab and a second wall comprising a second tab, the first tab and the second tab facing one another to define a gap, the first and second tabs comprising respective surfaces chamfered to define a V-shaped groove; and  
a cord gasket comprising a first end, a second end, and a segment positioned between the first end and the second end, where the segment is positioned in the gland of the baffle board, a first portion of the segment extends through the break into the passage and terminates at the first end, and a second portion of the segment extends through the break into the passage adjacent to the first end and terminates at the second end for forming a localized airtight seal.
28. (New) The air seal system of claim 27, where a distance of a gap is less than a distance of a cross-sectional diameter of the cord gasket.
29. (New) The air seal system of claim 27, where the V-shaped groove defines an angle that ranges from approximately 25 degrees to 150 degrees.

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30. (New) An air seal system for a loudspeaker, comprising:

a baffle board having a passage coupled to a gland so as to form a break in the gland, the passage comprising a first wall having a first tab and a second wall comprising a second tab, the first tab and the second tab facing one another to define a gap, where at least one of the first tab and the second tab is configured to flex when pressed from a first side and configured to remain rigid when pressed from a side generally opposite of the first side; and

a cord gasket comprising a first end, a second end, and a segment positioned between the first end and the second end, where the segment is positioned in the gland of the baffle board, a first portion of the segment extends through the break into the passage and terminates at the first end, and a second portion of the segment extends through the break into the passage adjacent to the first end and terminates at the second end for forming a localized airtight seal.

31. (New) The air seal system of claim 30, where a distance of a gap is less than a distance of a cross-sectional diameter of the cord gasket.

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## II. REMARKS

### A. STATUS SUMMARY

Claims 1 – 25 are pending in the present application. Claims 1 – 9 and 13 – 25 are rejected. Claims 10 – 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1 – 14 and 25 have been amended and claims 26 – 31 have been added, as set forth above in section I of this paper.

### B. CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 1 – 3, 5 – 9, and 13 – 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,841,102 to Elsner et al. ("Elsner et al."). Applicant respectfully traverses the rejection because, as to each rejected claim, Elsner et al. fail to teach each and every element or feature recited in the claim.

Independent claim 1 has been amended to recite features related to a loudspeaker, including "a loudspeaker baffle board having an opening for supporting a loudspeaker component". Elsner et al. in no manner teach such features, but rather teach a housing for electronic circuitry that includes an electrically conductive body for shielding electromagnetic radiation.

Moreover, claim 1 has been amended to clarify the meaning of the previously recited language "for forming a localized airtight seal", by substituting therefor the language "the loudspeaker baffle board and cord gasket form an air sealed enclosure". The structural features and their interaction as recited in claim 1 address the challenges of

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providing an air seal system for a loudspeaker, as described in Applicants' specification. Elsner et al. fail to disclose this feature, as well as fail to disclose a cord gasket.

Elsner et al. teach enclosing an electronic circuit within a housing, and providing a wire-shaped shield in a groove of the housing to isolate electromagnetic radiation emanating from the circuit. Elsner et al. expressly describe their shield as requiring electrically conductive components arranged into a "wire texture" (e.g., braided metal) in order to conduct electricity and thereby serve the shielding function. Applicants' respectfully submit that braided metal would not be suitable for preventing or reducing air infiltration. For example, a "texture" or braiding may exhibit an uneven surface and/or interstices that would allow air flow, and an electrically conductive material such as metal is plastically deformable (as opposed to being elastic, compressable, resilient, etc.) and thus provides opportunities for air pathways. *See* Elsner et al. at col. 2, lines 25-32 ("A strand of conductive gauze wire is disposed as a shielding body in this groove . . . consisting of electrically conductive material through the shielding body"); col. 2, lines 35-37 ("The shielding body . . . consists of a strand of wire texture or of a strand of soft elastic material coated with a hose of wire texture"). The "wire texture" or braided metal component actually renders the shield body inelastic and thus unsuited for functioning as a gasket. For example, Elsner et al. describes the ability to "kink" (i.e., a permanent or plastic manipulation) their shield body. *See generally* Elsner et al. at col. 2, lines 47-68.

Claims 2 – 14 and 25 depend or ultimately depend from claim 1, and therefore are distinguishable at least for the same reasons.

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Independent claim 15 is directed to "an air seal system for a loudspeaker". Claim 15 as originally filed recites "means for creating an airtight seal between the baffle board and the housing". As discussed above, Elsner et al. fail to teach how to seal any type of structure to prevent air flow.

Claims 16 – 24 depend or ultimately depend from claim 15, and therefore are distinguishable at least for the same reasons.

In view of the foregoing, Applicants respectfully submit that claims 1 – 3, 5 – 9, and 13 – 25 are patentable under 35 U.S.C. § 102(b) over Elsner et al., and therefore requests that the rejection to claims 1 – 3, 5 – 7, 13 – 20, and 23 – 24 be withdrawn.

C. CLAIM REJECTIONS - 35 U.S.C. § 103

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Elsner et al. in view of cited case law. Claim 4 ultimately depends from claim 1, which for the reasons stated above is allowable. Thus, Applicants respectfully submit that claim 4 is patentable as depending from an allowable claim 1.

In view of the foregoing, Applicants respectfully submit that claim 4 is patentable over Elsner et al. under 35 U.S.C. § 103(a).

E. NEW CLAIMS 26 – 31

New claims 26 – 31 have been added and are believed to be patentable over the prior art of record for the following reasons.

New claim 26 should be allowable by way of its dependency from claims 1 and 25.

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Pending claims 10 – 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New claim 27 is an independent claim including all of the limitations of claims 1, 8, and 10, and therefore should be allowable. New claim 28 recites the same features as claim 9 and should be allowable as depending from claim 27. New claim 29 recites the same features as claim 11 and should be allowable as depending from claim 27. New claim 30 is an independent claim including all of the limitations of claims 1, 8, and 12, and therefore should be allowable. New claim 31 recites the same features as claim 9 and should be allowable as depending from claim 30.

New claims 26 – 31 are believed to be fully supported throughout the specification as originally filed. Accordingly, no new matter is believed to have been added.

In view of the foregoing, Applicants respectfully request entry and allowance of claims 26 – 31.



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**III. CONCLUSION**

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

Respectfully submitted,

THE ECLIPSE GROUP

Date: \_\_\_\_\_

By: \_\_\_\_\_

Jennifer H. Hamilton  
Registration No. 41,814  
The Eclipse Group  
10453 Raintree Lane  
Northridge, CA 91326  
Phone: (818) 831-9431  
Fax: (818) 332-4205

Customer No. 34408

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